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ABSTRACT

This paper presents findings of a study that identified the levels of moral development and ethical reasoning processes of school board members and school district attorneys. The two groups were selected because of the quasi-judicial role that board members play and because of the increasing legalization of the schooling process. A survey of 155 school district attorneys and 770 board members elicited a total of 34 and 50 usable responses, respectively (26 percent and 8 percent response rates). The survey instrument, the Ethics Opinions Survey, contained: demographic questions, the three-story version of the Defining Issues Test, and three professional ethical decision-making vignettes. Findings indicated that although the school district attorneys had significantly higher principled reasoning scores than did school board members, both groups tended to make the same ethical decisions in similar situations and relied upon rules-based reasons for their decisions. Overall, the board members and attorneys displayed a predominantly conventional level of ethical reasoning. The findings for board members are consistent with the concept of bureaucratic socialization. For attorneys, the findings are compatible with the basic conservative nature of law grounded in the doctrine of "stare decisis," under which precedents established in past cases form the basis for future decisions. Three tables and a sample vignette are included. (LMI)

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# School Board Members' and School District Attorneys' Levels of Moral Development and Ethical Reasoning Processes

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**Abstract**

The differences in the levels of moral development and ethical reasoning processes between school board members (n=50) and school district attorneys (n=34) were investigated. Principled reasoning scores (P Scores) from the Defining Issues Test (DIT) were used to indicate the levels of moral development and ethical reasoning processes (Rest, 1986b). The results indicated that even though school district attorneys had significantly higher ($p < .001$) principled reasoning scores than school board members, both groups tended to make the same ethical decisions in similar situations and relied upon rules-based reasons in making their decisions. Overall, the school board members and school district attorneys displayed a predominantly conventional level of ethical reasoning. The findings for school board members are consistent with the concept of bureaucratic socialization. For school district attorneys, the findings are compatible with the basic conservative nature of the law grounded in the doctrine of *stare decisis*.

## School Board Members' and School District Attorneys' Levels of Moral Development and Ethical Reasoning Processes

Ethical issues and ethical decisions permeate the life of all organizations. They are topics of increased importance in education and across virtually all professions. An ethical issue is any situation that affects other people or the organization and entails a normative dimension (Beauchamp & Bowie, 1988). An ethical decision then is the moral judgment of what is right or wrong (or good or bad) when an ethical issue is recognized (Beauchamp & Bowie, 1988). Rest (1986a) argued that the central question of moral judgment is how do people arrive at their notions of what is morally right and wrong.

An extensive body of research has indicated that moral judgment can be measured (Rest, 1986a). A widely used measure of moral judgment is Rest's Defining Issues Test (DIT). According to Rest (1986a), the DIT is designed theoretically to measure how concepts of justice influence the process of moral judgment. The DIT has been used to measure the levels of moral judgment of numerous groups of subjects (Rest, 1986a). Despite widespread use of the DIT in over 500 studies since the early 1970s, there have been few research efforts to study the moral judgment of individuals

involved in public education beyond students or teachers. Lampe and Walsh (1992) used the DIT to explore the ethical decision-making processes of preservice teachers. Slaten, Lampe, Sparkman, & Hartmeister (1994) compared school board members' and superintendents' ethical reasoning processes using the DIT.

Entry into most professions is often accompanied by voluntary adoption of a code of ethics that, in principle, states each member will place professional constituency needs above personal wishes. Public perception of a profession or of particular public officials is influenced by the degree to which individual or collective decisions fail to meet expectations, particularly in questions of ethics. Specific charges of educators' self-interest resulting in higher cost and lower quality education frequently are the focus of the attention of the national, state and local news media. School boards across the country have often been criticized as being stumbling blocks in the path of educational reform. Individual board members have been accused of pursuing hidden agendas, focusing on single issues, mismanaging, occasionally being corrupt, and often being preoccupied or unduly influenced with personality differences (Wilson, 1994). When serious questions are raised about the ethical decision making in a profession or

among public officials, it is logical to question the ethical reasoning of the members of a profession and those in decision-making or advisory roles that affect the profession. School board members and school district attorneys are two groups involved in public school education often overlooked in terms of research interest. Yet, both groups are involved in significant issues that affect the lives of students, employees, parents, and taxpayers. These issues often have ethical dimensions and require moral judgment.

This research study identified the levels of moral development and ethical reasoning processes of school board members and school district attorneys. In addition, the levels of moral development of the two groups were compared to selected groups from previous studies. School board members and school district attorneys were selected because of the quasi-judicial role that school board members have and the increased legalization of the schooling process. A comparison of their levels of moral development and the identification of certain reasons that tend to influence certain ethical decisions may provide a necessary first step toward understanding the dynamics and multi-dimensional nature of their decision-making processes and the impact, if any, on schools.

## Purpose of Study and Research Questions

This descriptive, exploratory study was designed to determine objectively similarities and differences in levels of moral development and ethical reasoning processes exhibited by school board members and school district attorneys. Specific research questions included:

1) Do school board members and school district attorneys possess differing levels of moral development?
2) Do school board members and school district attorneys make different ethical decisions in similar situations?
3) Do different factors influence school board members' and school district attorneys' ethical decisions?

Answers to these questions provide an objective first step in better understanding how ethical decisions are made by school board members and school district attorneys and how their levels of moral development compare to other groups in society.

## School Board Members

According to Wilson (1994), most school board members are primarily motivated by a desire to contribute to the best educational opportunity for the children of their community. Regardless of how

individuals become members of the school board, whether by election or appointment, they are public officials charged by the state with the responsibility to govern local school districts. School board members take an oath of office that has an ethical dimension. For example, elected school board members in Texas make the following statement:

> I,_____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected, so help me God. (Tex. Const. art. 16, § 1)

School boards serving as the corporate entity charged with the legal authority to govern the school district have important responsibilities in the areas of general policy making, personnel, budgeting, and contracts. In addition, members of school boards act in a quasi-judicial capacity when they must decide the outcome of disciplinary hearings for employees or students. Many of these responsibilities involve ethical issues and when recognized as such, involve an ethical decision or moral judgment.

## School District Attorneys

It is a common practice for school districts to retain or employ outside counsel to represent the school district. (Zollars, Zirkel & Kemerer, 1986; Lindemuth, 1993). A crucial point to be made is that attorneys employed or retained to represent an organization such as a school district owe their professional duties to the interest of the organization, rather than the interests of the individual constituents of the organization, including directors, officers, employees, and others through whom the organization must act (Worona and Sokol, 1993). Increasingly, the school district attorney has become an important part of school district operations. Lyle (1992) has recommended that the school district attorney be present at meetings of the school board whenever a hearing takes place, such as contract non-renewal or termination, student expulsion, and the like. In addition, the attorney should be involved in strategy sessions with the school board regarding litigation, or anytime that the board wants to consult with him or her about a particular matter (Lyle, 1992). Attorneys representing school districts have the same ethical obligations as any other attorney (Lindemuth, 1993). Attorneys, as professionals, have a duty to abide by the applicable rules of professional conduct as adopted by their

particular state bar association. For example, in Texas all attorneys are required to follow the Model Rules of Professional Conduct as promulgated by the American Bar Association and as adopted at the state level.

## Method

### Subjects

Subjects for the study included a sample of school board members and school district attorneys from the State of Texas. A random sample of 110 Texas school districts was identified from the Texas School Directory 1992-93 (1992). Survey forms for the school board members were mailed to the superintendents of the 110 selected school districts, who were asked to distribute them to their seven respective school board members. Thus, a total of 770 surveys were made available to school board members assuming, of course, that the superintendent distributed them as requested. Survey forms also were mailed to all 155 Texas school district attorneys listed by the Council of School Board Attorneys, which is affiliated with the Texas Association of School Boards. The response rate was 8% (n=60) for school board members and 26% (n=40) for school district attorneys. Due to incomplete or inconsistent responses on the survey form, six school district attorneys' surveys and ten school board members' surveys were

eliminated resulting in usable responses from 50 school board members and 34 school district attorneys.

Gender distribution was 38 males (76%) and 12 females (24%) for the school board members, while the school district attorneys included 29 males (72.5%) and 11 females (37.5%). In terms of age composition, 18 (36%) of the school board members were in the 36-45 age category; whereas, 70% of the school district attorneys were between the ages of 36-55. Most school attorneys represented four or more school districts with 15 attorneys representing 16 or more districts. Furthermore, most school district attorneys reported to have been actively representing school districts for more than 7 years. Level of education completed by school board members was most often a bachelor's degree (19 out of 50), while 9 had master's degrees, and 9 held the doctorate. The remaining board members had less education than a college degree with one not having finished high school.

Instruments

Ethics opinion survey. The research instrument, "Ethics Opinions Survey," contained: (1) demographic questions, (2) the three-story version of the Defining Issues Test (Rest, 1986b), and (3) three professional ethical

decision vignettes. The research method used to identify levels of moral development was based on Dewey's (1960) three levels of intellectual and moral development, Piaget's (1965) stages of cognitive development and Kohlberg's (1984) six stages of moral development.

Defining issues test. James Rest (1979, 1986a, 1986b) developed the Defining Issues Test (DIT) which is consistent with Kohlberg's stage-sequence theory and provides a less complex, but still reliable assessment of moral development in terms of Kohlberg's stages. A brief listing delineating the six stages is as follows:

I. Pre-Conventional Level (focus on self)

Stage 1 - Avoidance of punishment; deference to power

Stage 2 - Satisfying one's own needs

II. Conventional Level (focus on group)

Stage 3 - Seeking others' approval

Stage 4 - Respecting authority and maintaining order

III. Post-Conventional Level (focus on inner self)

Stage 5 - Individual rights as a matter of personal value and opinions

Stage 6 - Abstract principles of justice and human dignity

The school board members and school district attorneys responded to the same three-story version of the DIT and thereby provided comparable measures of P score (principled reasoning), stage scores, and internal validity checks. The three dilemmas presented were "Heinz and the Drug," "Escaped Prisoner," and "Newspaper". All three ethical dilemmas raise traditional ethical issues within the context of readily understandable and somewhat familiar factual scenarios for those involved in public education.

The P score is the most common measure of the DIT. It represents the selective importance a subject gives to principled moral considerations in making a decision about moral dilemmas (Rest, 1979, p. 5.2). The P score is a summation of Stages 5 and 6 and provides a measure of the percentage of post-conventional reasoning used in ethical decision making. In total, the DIT provides quantitative measures for:

a) each individual stage (2,3,4,5, and 6);

b) principled reasoning (P - a combination of Stages 5 and 6);

c) two different types of internal validity checks.

Prior studies and the resulting P scores derived from the DIT for several groups provides an objective means for comparing levels of moral development (Rest, 1986a).

In this study, P scores generated for participating school board members and school district attorneys were compared between groups and certain groups from the various studies mentioned above. In addition to the P scores from the DIT, this study collected decision and reasoning responses to three educational ethics vignettes.

Ethical decision vignettes. Three professional ethical decision vignettes were designed by the researchers based on personal experiences and consultations with educational practitioners. These vignettes present ethical dilemmas commonly encountered by inservice teachers in a school setting and were field-tested by practicing teachers revealing acceptable validity. The situations vary with respect to commonality and direct applicability to educational practice. Summaries of the three dilemmas are listed below:

1. A teacher must decide whether or not to "blow the whistle" on a fellow teacher who is exhibiting questionable behavior.
2. A teacher must decide whether or not to use PTA funds for school or for personal expenses.
3. A student teacher must decide whether or not to comply with her cooperating teacher's instructions to "teach the test."

The design of these vignettes was intended to collect decision responses from school board members and school district attorneys for three different situations specific to the education profession. These considerations were:

Vignette 1 -- The subject is confronted with another educator engaging in questionable behavior.

Vignette 2 -- The temptation of direct personal monetary benefit is present.

Vignette 3 -- There is an implication that professional advancement is more likely if an unethical behavior is followed. (Vignette 3 is presented in Exhibit 1 as an example.)

In addition to a yes or no decision to each vignette, school board members and school district attorneys rank ordered the decision impact of a set of eight potential reasons provided. The eight reasons were comprised of two reasons in each of the four following categories:

Rule-based

Personal/Self-Interest

Social concerns

Student considerations

Rule-based reasons were designed to measure the importance of adhering to clearly stated rules, norms or bureaucratic practices. Personal or self-interest reasons consistently provided direct and immediate benefit to the decision maker. Social concerns were designed to consider the needs or wants of another stakeholder affected by the ethical decision. Student considerations reflected how students' interests would be helped or hindered by the teacher's selected course of action.

In addition to the attributes described above, the eight reasons were designed to have four responses support a yes ethical decision and the other four responses to support a no decision. The intent of having the respondents rank the importance of eight prestated reasons was to quantify the degree of influence that each reason category had on the individual respondent's decision making. A 16 point symmetrical weighting scheme (7,5,3,1) was applied to quantify the importance of the four top ranked reasons for all vignettes.

The total number of these ranking points provides a measure of relative importance of each reason category to an individual's decision. Group averages of the decision category rankings provide an indication of relative importance between vignette situations. The data collected from

the DIT and vignette decision responses are used to measure each participating school board member's and school district attorney's level of moral development and ethical reasoning processes in three different professional dilemma situations.

## Results and Discussion

The data collected and analyzed in this study are summarized in Tables 1, 2, and 3. Table 1 shows a comparison of the P scores and individual moral development stage scores generated by the school board members and school district attorneys. In addition, the table contains comparisons of the respondents' scores with the results from other studies, which included practicing teachers, students in teacher education programs, college students generally, college graduates, and students in law schools. The initial data provided the basic comparison central to the extant study. The other comparisons are presented as points of contrast and serve to add to this nascent body of research involving educators.

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Insert Table 1 here

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The current study examined in depth the development in

conventional reasoning (Stages 3 and 4) as well as the post-conventional reasoning (Stages 5 and 6). Table 1 shows the average group percentage reasoning attributed to each of Kohlberg's stages. Furthermore, Table 1 reports that both school board members and school district attorneys have higher-than-average Stage 4 scores (law and order orientation), but lower-than-average Stage 5 scores (individual rights orientation). According to Rest (1986b), the combination of higher than average Stage 4 scores and lower-than-average Stage 5 scores on the DIT results in a lower principled reasoning score than if Stage 5 scores had been higher in relation to Stage 4 scores.

The data from this study indicate that the P scores of school district attorneys (40.7) were significantly higher ($p < .001$) than those of school board members (31.4). Significant differences ($p < .001$) were also found between the scores of the two groups at Stage Five.

When compared with average college graduates, P scores for school board members were significantly lower ($p < .001$). This was due to the fact that the Stage 4 scores for school board members were significantly higher ($p < .001$) than those for the average college graduates and their Stage 5 ($p < .001$) and Stage 6 ($p < .001$) scores were significantly lower.

The findings that the P scores of school district attorneys was higher than the P score of school board members, and that the P score of school board members was lower than the P score of average college graduates are consistent with previous research that shows that the years of formal education is one of the strongest and most consistent correlates of development in moral judgment (Rest, 1986a).

By contrast, school district attorneys' P scores did not differ significantly from those of average college graduates. Even though the P scores did not differ significantly, the school district attorneys' Stage 3 score ($p < .01$) and Stage 4 score ($p < .01$) were significantly higher, while their Stage 6 score ($p < .01$) was significantly lower than the comparable scores for average college graduates.

Overall, the school board members and school district attorneys displayed a predominantly conventional level of ethical reasoning. School board members' and school district attorneys' combined conventional level thinking scores (Stages 3 and 4) accounted for over 50% of their thinking in making a decision. Such conventional thinking suggests a "law and order" orientation. In comparison, average college students and college graduates displayed primarily post-conventional reasoning involving an

individual rights orientation.

Data are available to allow additional comparisons among various groups that have taken the DIT. The hundreds of studies reported by Rest (1979 and 1986a) that have been conducted allow objective comparisons with individual or other group DIT measures. For example, the DIT manual (1986b, iii) provides the following group P score averages:

65.2 Moral philosophy and political science doctoral students

52.2 Advanced law students

49.5 Practicing medical physicians

44.8 Average college graduate

31.8 Average high school student

21.9 Average junior high student

Based on the findings from the extant study, the school board members principled reasoning score is well below the average college graduate and even slightly below the average high school student. School district attorneys have a P score below that of advanced law students and practicing physicians.

Responses to the three vignettes for the yes/no decision ratios and the average reason rankings are summarized in Table 2.

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Insert Table 2 here

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Data presented in Table 2 provide further insights into the ethical decision processes of the participating school board members and school district attorneys. The vignette decision ratios are presented as the percentage of individual respondents who, in a similar situation, would follow the implied vignette action:

Vignette 1 -- Would inform on the fellow teacher

Vignette 2 -- Would consider PTA funds a reimbursement for personal expenses

Vignette 3 -- Would comply and "teach the test"

The most obvious result is that the decision ratios differed significantly for both school board members ($p < .001$) and school district attorneys ($p < .0001$) among the three vignette situations. The individual respondents from among the surveyed groups of school board members and school district attorneys made different decisions depending upon the situations portrayed in the three vignettes. However, while there were individual differences in the responses, the pattern of responses was similar

for each group.

Moreover, the reasons for the decisions varied significantly ($p < .003$ or below) for all "reasons" categories within each situation. On an overall basis, both school board members and school district attorneys ranked rule-based reasons as most important in their decision making. Although reasons varied significantly between situations, the relative importance of different reasons given between groups were remarkably similar and exhibited the same directionality. With one exception the reason categories were ranked identically in importance by both school board members and school district attorneys across all three vignettes. The single exception was Vignette 3, where school district attorneys ranked student concerns as third in importance and social reasons last in importance among the four reasons. By contrast, school board members on Vignette 3 ranked social reasons third in importance and student concerns last in their ethical reasoning.

Table 3 reports the significance of between-group differences for both the DIT and educational vignettes' decisions and reason categories.

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Insert Table 3 here

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The first column in Table 3 is labeled p value and presents the results of the analysis of variance (ANOVA) between school board members and school district attorneys. As reported above, the DIT results indicated significant differences in the principled reasoning score (P score) and the Stage 5 score. The decision ratios for the three vignettes showed no significant difference ($p < .01$) between groups. However, it is noted that the decision ratio differed ($p < .093$) for Vignette 3 with school board members contending that a student teacher should comply with her cooperating teacher's request to "teach the test" more often than did the school district attorneys. In the same vignette, school district attorneys ranked rule and order concerns of greater importance than school board members in their ethical reasoning processes ($p < .079$). Vignette 1 recorded a difference that approached significance ($p < .058$) for the personal/self-interest reason category when respondents were confronted with the decision to inform on a fellow teacher. School district attorneys accorded personal/self-interest reasons more importance than school board

members in this situation.

## Conclusions

The following conclusions are drawn from the results presented in the previous section.

1. School board members and school district attorneys in this study possess significantly different levels of moral development.
2. School board members in this study have significantly lower principled reasoning scores (P scores) than average college graduates.
3. School board members and school district attorneys in this study have significantly higher Stage 4 (rule and order oriented) scores than average college graduates.
4. School board members in this study have significantly lower Stage 5 (individual rights as a matter of personal values) scores than average college graduates.
5. School board members and school districts attorneys in this study have significantly lower Stage 6 (individual rights as a matter of personal values) scores than average college

graduates.

6. School board members and school district attorneys in this study do not make significantly different ethical decisions in similar situations.
7. School board members and school district attorneys tend to rely upon the same reasons in making their ethical decisions.
8. School board members and school district attorneys accorded most importance to rule-based reasons in making their ethical decisions.

If public schools are viewed as bureaucratic institutions with a decided use of authority and elaborate mechanisms for socialization (Merton, 1968), then the concept of bureaucratic socialization offers some explanation for the basic rule orientation of school board members in terms of their ethical reasoning. Hoy and Miskel (1991) asserted that, "bureaucracies systematically mold the behavior of personnel to make individual beliefs and values correspond with those of the organization" (p. 72). Assuming for the moment that the bureaucratic model is an accurate description of most public school organizations, it follows that school board members, serving as the policy-making body, can contribute to the

bureaucratic mentality by top-down decision making that has been common in public schools.

Moreover, in Texas, the board of trustees is composed of individuals popularly elected by voters in the school district to "have the exclusive power to manage and govern the public free schools of the district" [Tex. Educ. Code Ann. § 23.26(b)]. The state statute suggests control as a major role of school boards. Moreover, the state has imposed more mandates on schools. It follows, then that school board members follow a rule orientation when confronting ethical decisions.

It is unlikely that school district attorneys in their decision making will go beyond existing rules of law given the operational parameters of legal practice. After all, attorneys operate according to the doctrine of *stare decisis* under which precedents established in past cases are the basis for decisions made in the future. So much of what a school district attorney does is grounded in case law, statutes, administrative rules and regulations, and policy implementation. Therefore, an attorney would be perceived as having less flexibility in straying from a basic rule orientation in decision making. School district attorneys serve the school district on the basis of providing legal advise. School boards should not be looking to the district's

attorney for advice on moral or nonlegal issues.

## Implications

We do not know whether a rule orientation by school board members and school district attorneys is necessarily good or bad in the public school context. We do know how these two groups tend to operate with respect to ethical decision making, but it would be sheer speculation to conclude that operating at a higher level of principled moral reasoning will necessarily solve more contemporary school problems. While it could be argued that school board members and school district attorneys operating with higher levels of moral reasoning may be better able to recognize and account for conflicting values of their constituents, this research has shown no basis by which to support this proposition.

## References

Beauchamp, T. L., & Bowie, N. E. (1988). Ethical theory in business (3rd ed.). Englewood Cliffs, NJ: Prentice Hall.

Dewey, J. (1960). Theory of the moral life. New York: Holt, Rinehart & Winston (originally printed as a paper in 1891).

Hoy, W. & Miskel, C. (1991). Educational administration: Theory, research, and practice. (4th Edition). New York: Random House.

Kohlberg, L. (1984). Essays on moral development. (Vol. II). New York: Harper and Row.

Lampe, J. & Walsh, S. (1992, April). Reflective teachers' ethical decision-making processes. Paper presented at the annual meeting of the American Educational Research Association, San Francisco, CA.

Lindemuth, J. L. (1993, November). Possible ethical perils in representing the school board. Handout materials at the 39th Annual Convention of the National Organiztion on Legal Problems in Education, Philadelphia, PA.

Lyle, P. (1992). The president's manual: A manual for Texas school board presidents and superintendents. (Available from Paul Lyle, 700 West

Seventh St., P.O. Box 328, Plainview, TX 79072).

Merton, R. (1968). Social theory and social structure. New York: Free Press.

Piaget, J. (1965). The moral judgment of the child. New York: Free Press (originally published 1932).

Rest, J. (1979). Development in judging moral issues. Minneapolis: University of Minnesota Press.

Rest, J. (1986a). Moral development: Advances in research and theory. New York: Praeger.

Rest, J. (1986b). DIT: Manual for the defining issues test. Minneapolis: University of Minnesota Center for the Study of Ethical Development.

Slaten, J. R., Lampe, J. R., Sparkman, W. E., & Hartmeister, F. (1994, January). A Comparison of school board members' and superintendents' ethical reasoning processes. Paper presented at the annual meeting of the Southwest Educational Research Association, San Antonio, TX.

Texas Constitution, art. 16, § 1.

Texas Education Agency. (1992). Texas school directory 1992-93. Austin: Texas Education Agency.

Texas Education Code Annotated § 23.26(b).

Wilson, J. (1994). Urban education: A board member's perspective. Phi Delta Kappan, 75(5), 382-386.

Worona, J., & Sokol, P. (1993, March). Ethics in school law. In National School Board Association Council of School Attorneys (Eds.), School law in review 1993 (pp. 7-1 - 7-9).

Zollars, M. C., Zirkel, P. A., & Kemerer, F. R. (1986). Educational research relating to school law: The role of the school attorney. NOLPE Notes, 24(1), 5-7.

**EXHIBIT 1**

3. Lisa is a student teacher in Mrs. Benson's third grade classroom for the spring semester. Although much of what Lisa is learning is proving very helpful for her future career as teacher, she is having difficulty complying with one of her cooperating teacher's recent requests. The problem involves the ITBS or Iowa Test of Basic Skills which is to be given in early March. Due to the tremendous pressure on teachers and schools regarding their students' test performance from both state and local sources, almost all instruction is focused on preparing for the ITBS for several weeks prior to its administration. Mrs. Benson has somehow secured an advance copy of the ITBS test and expects Lisa to "teach the test" in order to assure that her class will perform well. Lisa is wondering if refusal to comply with Mrs. Benson's directive will jeopardize her future job possibilities. She is well aware that her most important and influential reference will come from Mrs. Benson and wants to be assured of a favorable job recommendation.

If you were in Lisa's place, would you "teach the test" as Mrs. Benson has directed you?

_____YES _____NO

The following items may have been important to you in making the above decision. You may have considered and offset both positive and negative aspects in the decision process. Please rank the items you consider most important by placing the number "1" next to the one you consider most important, the number "2" next to the item second most important, the number "3", "4" and on up as you continue this ranking for all the items you consider important. Place an "X" next to any item with which you disagree or do not feel relevant to the decision.

(RULE)[1] _____ "Teaching the test" is, in essence, cheating and breaking the rules.

(RULE) _____ Lisa should obey those in authority over her.

(SOC) _____ This is not an unusual situation; many teachers "teach the test" to one degree or another.

(PERS) _____ Lisa's whole future may depend on Mrs. Benson's recommendation.

(STU) _____ Intense preparation which focuses on drill and practice for several weeks before a test can cause students undue stress and result in a negative attitude towards learning.

(SOC) _____ Considering such behavior (teaching the test) as acceptable does not uphold the high ideals of the education profession.

(PERS) _____ Lisa must be true to herself and should not compromise her belief that "teaching the test" is inappropriate.

(STU) _____ The students are in a sense being manipulated and used, and "teaching the test" is not in their own best interest.

[1] These codes do not appear on the form, but were included by the researchers to indicate the reason categories.

**TABLE 1**

**DEFINING ISSUES TEXAS (DIT) RESULTS FOR SCHOOL BOARD MEMBERS AND SCHOOL DISTRICT ATTORNEYS AND COMPARISON GROUPS**

| | PRINCIPLED REASONING | CONVENTIONAL LEVEL | | POST-CONVENTIONAL | |
|---|---|---|---|---|---|
| | P SCORE | STAGE 3 | STAGE 4 | STAGE 5 | STAGE 6 |
| (From this study) | | | | | |
| SCHOOL BOARD MEMBERS (n=50) | 31.4 | 13.6 | 40.9 | 23.9 | 7.5 |
| SCHOOL DISTRICT ATTORNEYS (n=34) | 40.7 | 17.0 | 34.9 | 32.7 | 8.0 |
| (From prior study) | | | | | |
| PRACTICING TEACHERS (n=112) | 35.6 | 13.8 | 37.5 | 25.9 | 9.6 |
| EDUCATION STUDENTS (n=90) | 34.7 | 16.0 | 34.7 | 28.7 | 6.0 |
| (Based on standardizing sample)[1] | | | | | |
| COLLEGE STUDENTS | 43.2 | 14.3 | 28.4 | 35.0 | 8.2 |
| COLLEGE GRADUATES | 44.9 | 13.3 | 29.9 | 33.9 | 10.9 |
| ADV. LAW STUDENTS | 52.2 | | | | |
| DIFFERENCES (Significance) | | | | | |
| SCHOOL DISTRICT ATTORNEYS-SCHOOL BOARD MEMBERS (p value) | 9.3 (.00)[2] | 3.4 (.15) | -6.0 (.14) | 8.8 (.00) | 0.5 (.60) |
| SCHOOL ATTORNEYS-TEACHERS (p value) | 5.1 (.04) | 3.2 (.06) | -2.6 (.19) | 6.8 (.01) | -1.6 (.12) |
| SCHOOL ATTORNEYS-COLLEGE GRADUATES (p value) | -4.2 (.06) | 3.7 (.01) | 5.0 (.01) | -1.2 (.34) | -2.9 (.01) |
| SCHOOL BOARD MEMBERS-TEACHERS (p value) | -4.2 (.12) | -0.2 (.92) | 3.4 (.14) | -2.0 (.71) | -2.1 (.03) |
| SCHOOL BOARD MEMBERS-COLLEGE GRADUATES (p value) | -13.5 (.00) | 0.3 (.88) | 11.0 (.00) | -10.0 (.00) | -3.4 (.00) |

[1]A large sample of 1080 subjects (270 in each of four listed groups) have been used for standardizing computations [Rest, 1979]. The raw scores have been converted to percentages for comparison with current study DIT results.

[2]In this table, (.00) implies $p < .001$

**TABLE 2**
**VIGNETTE DECISIONS AND REASON RANKINGS**

| | Decision Ratio | Reason Rankings | | | |
|---|---|---|---|---|---|
| | | Rule | Personal | Social | Student |
| School Board Members (n=50) | | | | | |
| Vignette 1 | .095 | 4.6 | 2.1 | 1.3 | 7.7 |
| Vignette 2 | .095 | 5.9 | 0.7 | 4.2 | 3.7 |
| Vignette 3 | .246 | 4.6 | 4.1 | 3.5 | 2.4 |
| Average | .143 | 5.0 | 2.3 | 3.0 | 4.6 |
| p Statistic | .001 | .001 | .001 | .001 | .001 |
| School District Attorneys (n=34) | | | | | |
| Vignette 1 | .175 | 3.8 | 3.2 | 0.9 | 8.1 |
| Vignette 2 | .025 | 6.0 | 0.3 | 4.5 | 4.0 |
| Vignette 3 | .100 | 5.8 | 3.8 | 2.6 | 2.9 |
| Average | .100 | 5.2 | 2.4 | 2.7 | 5.0 |
| p Statistic | .000[3] | .003 | .000 | .000 | .000 |

[3]In this table, .000 implies $p < .0001$

**TABLE 3**
**SIGNIFICANCE OF BETWEEN-GROUP DIFFERENCES**

| COMPARISON | | p VALUE | SCHOOL DISTRICT ATTRNYS | SCHOOL BOARD MEMBERS | DIFFERENCE |
|---|---|---|---|---|---|
| DIT Results: | | | | | |
| P Score | | 0.001 | 40.7 | 31.4 | 9.3 |
| Stage 2 | | 0.210 | 2.8 | 4.1 | -1.3 |
| Stage 3 | | 0.153 | 17.0 | 13.6 | 3.4 |
| Stage 4 | | 0.135 | 34.9 | 40.9 | -6.0 |
| Stage 5 | | 0.002 | 32.7 | 23.9 | 8.8 |
| Stage 6 | | 0.599 | 8.0 | 7.5 | 0.5 |
| Vig. --1-- | Rule | 0.342 | 3.8 | 4.6 | -0.8 |
| | Personal | 0.058 | 3.2 | 2.1 | 1.1 |
| | Social | 0.559 | 0.9 | 1.3 | -0.4 |
| | Student | 0.823 | 8.1 | 7.7 | 0.4 |
| | Decision Ratio | 0.327 | .175 | .095 | .080 |
| Vig. --2-- | Rule | 0.954 | 6.0 | 5.9 | 0.1 |
| | Personal | 0.327 | 0.3 | 0.7 | -0.4 |
| | Social | 0.661 | 4.5 | 4.2 | 0.3 |
| | Student | 0.432 | 4.0 | 3.7 | 0.3 |
| | Decision Ratio | 0.206 | .025 | .095 | -.07 |
| Vig. --3-- | Rule | 0.079 | 5.8 | 4.6 | 1.2 |
| | Personal | 0.375 | 3.8 | 4.1 | -0.3 |
| | Social | 0.329 | 2.6 | 3.5 | -0.9 |
| | Student | 0.625 | 2.9 | 2.4 | 0.5 |
| | Decision Ratio | 0.093 | .100 | .246 | -.146 |